



04-14-05

DAE
FW

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as "EXPRESS MAIL, POST OFFICE TO ADDRESSEE" service under 37 C.F.R.1.10, Mailing Label No. EV336034980US and is addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: April 12, 2005

W. Liddell, Jr.
Wilburn Liddell, Jr.

PATENT
510685-171(69,010-335)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: PIERSON et al.

Serial No.: 10/696,530

Filed: October 29, 2003

Title: SMART SMOKE UNIT

Art Unit: 3712

Examiner: Jacob K. Ackun

PETITION TO REVIVE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.137(b), Applicants respectfully petition to revive the above-identified patent application. The above-identified application became abandoned for failure to submit a timely response to the final Office Action dated October 4, 2004.

A Request for Continued Examination (RCE) is enclosed herewith. The entire delay in filing the required response from the due date for the required response until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

04/15/2005 AWONDAF1 00000089 10696530

01 FC:2453

750.00 OP

Serial No. 10/696,530
April 12, 2005
Page 2

Enclosed please find a check in the amount of \$1,145.00 for the request for continued examination (RCE) (\$395) pursuant to 37 C.F.R. § 1.17(e) and for Petition to Revive (\$750) pursuant to 37 C.F.R. § 1.17(m). The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,



Brian M. Berliner
Attorney for Applicants
Registration No. 34,549

Date: April 12, 2005

O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, California 90071-2899
Telephone: (213) 430-6000